

# CALIFORNIA HIGH-SPEED RAIL

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FRESNO TO BAKERSFIELD  
FINAL EIR/EIS & PROJECT APPROVAL

PRESENTED BY

**DIANA GOMEZ**

AND

**MARK McLOUGHLIN**

AUTHORITY BOARD OF DIRECTORS

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MAY 6, 2014

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FRESNO CITY HALL

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# PRESENTATION OVERVIEW

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- Preferred Alternative Review
- Engagement and Environmental Review History
- Themes of Public Comments, and How They've Been Addressed
- Changes Since the Revised DEIR/Supplemental DEIS
- Staff-Recommended Board Actions
- Next Steps

# PREFERRED ALTERNATIVE

The Preferred Alternative is:

- Parts of the Burlington Northern Santa Fe (BNSF) Alternative
- The Corcoran Bypass Alternative
- The Allensworth Bypass Alternative
- The Bakersfield Hybrid Alternative
- Kings/Tulare Regional Station, east of Hanford/west of Visalia, located near State Route 198
- Downtown Bakersfield Station on Truxtun Avenue



# OUTREACH THROUGHOUT THE ENVIRONMENTAL REVIEW PROCESS

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- Since the on-set of the process in 2007, more than 1,000 meetings have taken place
- More than 2,200 comment submissions
- Since November 2013, upon proposing a Preferred Alternative, the Authority held more than 60 meetings with stakeholders and impacted property owners



# ENGAGEMENT AND ENVIRONMENTAL REVIEW HISTORY

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- In 1995, the High-Speed Rail Commission began studies of potential alignment corridors
  - Alignments included: Coastal, I-5, SR 99, and other north-south corridors considered between Bay Area and Los Angeles
  - Evaluation considered ridership, cost, socioeconomic, and environmental issues
- 2001-2005, the High-Speed Rail Authority and FRA produce a Statewide Program EIR/EIS
  - Preferred alignment corridors and general station locations were selected
  - BNSF corridor selected with stations in downtown Fresno and Bakersfield and further study of Kings/Tulare Regional Station
  - High-speed rail was selected as transportation mode to improve intercity travel; airport/road expansion and “no project” rejected
  - No litigation challenge



# ENGAGEMENT AND ENVIRONMENTAL REVIEW HISTORY

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- 2009 – Authority issues an NOP for the FB EIR/EIS
- August 2011, Draft EIR/EIS
  - 60-day review period with extended review period; extensive outreach, available to Board
- July 2012, Revised Draft EIR/Supplemental Draft EIS
  - 90-day review period, (twice the time required by CEQA) extensive outreach, presented to Board August 2012; 15 hours of testimony in Bakersfield, Hanford & Fresno to accept oral public comment



# ENGAGEMENT AND ENVIRONMENTAL REVIEW HISTORY

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- **April 2013, Board Review of Progress on Preferred Alternative**
  - Received public comments on preliminary staff recommendation
  - Board directed staff to continue additional outreach efforts to develop an alternative that considers local interests as well as regulatory requirements
- **November 2013, Board Identification of Preferred Alternative**
  - Informed by major comments on draft EIR/EIS documents
  - Considered public comments from April 2013 Board meeting and additional outreach efforts
  - Directed completion of Final EIR/EIS and permitting based on the Preferred Alternative

# ENVIRONMENTAL REVIEW STATUS

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- **Final EIR/EIS**

- Addressed public agency, and stakeholder comments
- Published to public and Board April 18th
- Consists of six volumes
  - Vol. I – main analysis text
  - Vol. II – supporting appendices
  - Vol. III – maps and plans
  - Vol. IV – Draft EIR/EIS comments and responses
  - Vol. V – Revised Draft EIR/EIS comments and responses
  - Vol. VI – Inadvertently-omitted letters and errata





# ADDRESSING PUBLIC COMMENTS

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- The Authority received more than 7,800 comments in 2,200 submissions on the DEIR/EIS and Revised DEIR/Supplemental DEIS
- Major comment themes include:
  - Range of Alternatives
  - Property Values
  - Farmland Conversion
  - Project Definition
  - Adequacy of Mitigation
  - Responsiveness to Previous Comments

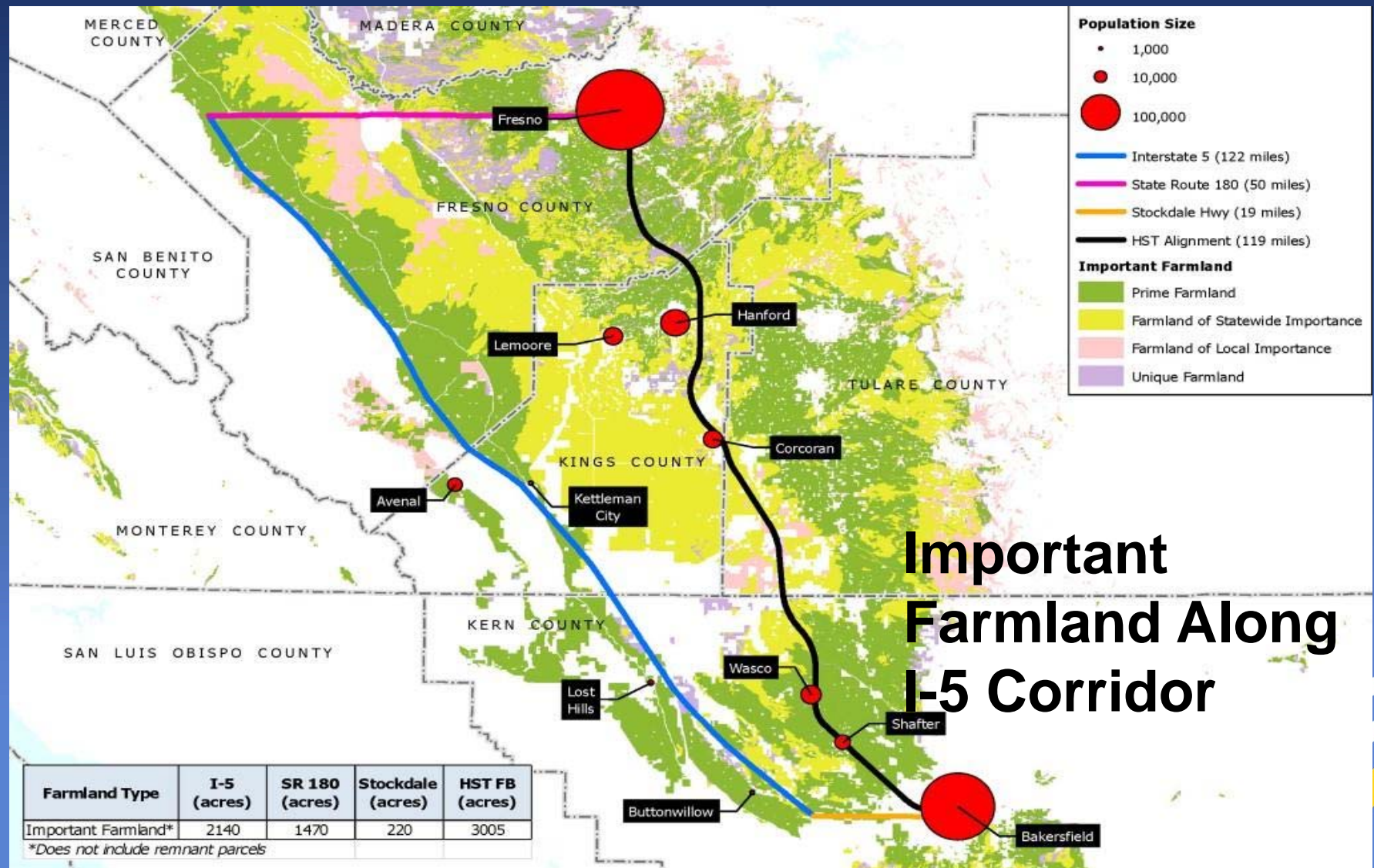
# RANGE OF ALTERNATIVES

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Comment Addressed: EIR/EIS inadequate because alignments in I-5 and SR 99 corridors not carried through complete environmental analysis

- I-5 corridor not carried forward in Statewide Program EIR/EIS because it does not meet fundamental project objective
  - Since 2008, is inconsistent with Prop 1A, which names Fresno, Bakersfield and Palmdale
- SR 99 corridor not selected for the FB section in Statewide Program EIR/EIS because it is not reasonable
- BNSF identified at Program EIR/EIS stage

# RANGE OF ALTERNATIVES



# SR 99/UPRR ALTERNATIVE

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- SR 99 corridor is not reasonable
  - Interferes with UPRR operations and future expansion plans
  - Reconstruction of four SR 99 interchanges and SR 99/SR 198 interchange
  - Constrains future capacity improvements to SR 99
  - Direct and indirect impacts on major industrial facilities between Fresno and Bakersfield

# PROPERTY VALUES

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Comment Addressed: EIR/EIS inadequate because specific compensation to property owners not spelled out

- Important issue, but not an adverse “environmental impact”; EIR/EIS provides information anyway
- Just compensation required by federal and state law
  - Payment of fair market value for real property taken by the project
  - Just compensation for any decrease in value of remnant parcels
  - Payment of “cost to cure” damages to a property caused by the project
- Benefits to displaced residents and businesses
  - Financial assistance
  - Relocation advisory services



# FARMLAND CONVERSION

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Comment Addressed: Conversion of Important Farmland to Non-agricultural uses

- EIR/EIS addresses this CEQA issue and provides mitigation
- Farmland consolidation program to sell remnant parcels to neighboring landowners for consolidation with adjacent farmland properties
- Farmland conservation easements through the Department of Conservation for long-term protection of farmland. These easements will be consistent with the terms of a settlement agreement the Authority reached with agricultural interests in *County of Madera et al. v. California High-Speed Rail Authority*

# PROJECT DEFINITION

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Comment Addressed: EIR/EIS inadequate because *real* project is construction and operation of the Initial Construction Segment

- High-speed rail between Fresno and Bakersfield is what is proposed for eventual construction and operation, so is what must be (so is) evaluated in the EIR/EIS
  - Fresno and Bakersfield are the two largest cities and economic hubs in the San Joaquin Valley region
  - Project of substantial length 114 (approx.)
  - Immediate project benefits
    - High-speed rail test track
    - High-speed rail service independent of other sections

# ADEQUACY OF MITIGATION

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Comment Addressed: EIR/EIS inadequate because mitigation is illegally deferred until after completion of environmental review

- Mitigation measures are clarified in the Final EIR/EIS based on public comments:
  - Additional description of specific actions
  - Clarification of performance standards where appropriate
- Mitigation measures suggested in public comments were incorporated where they were feasible and effective in reducing project impacts.

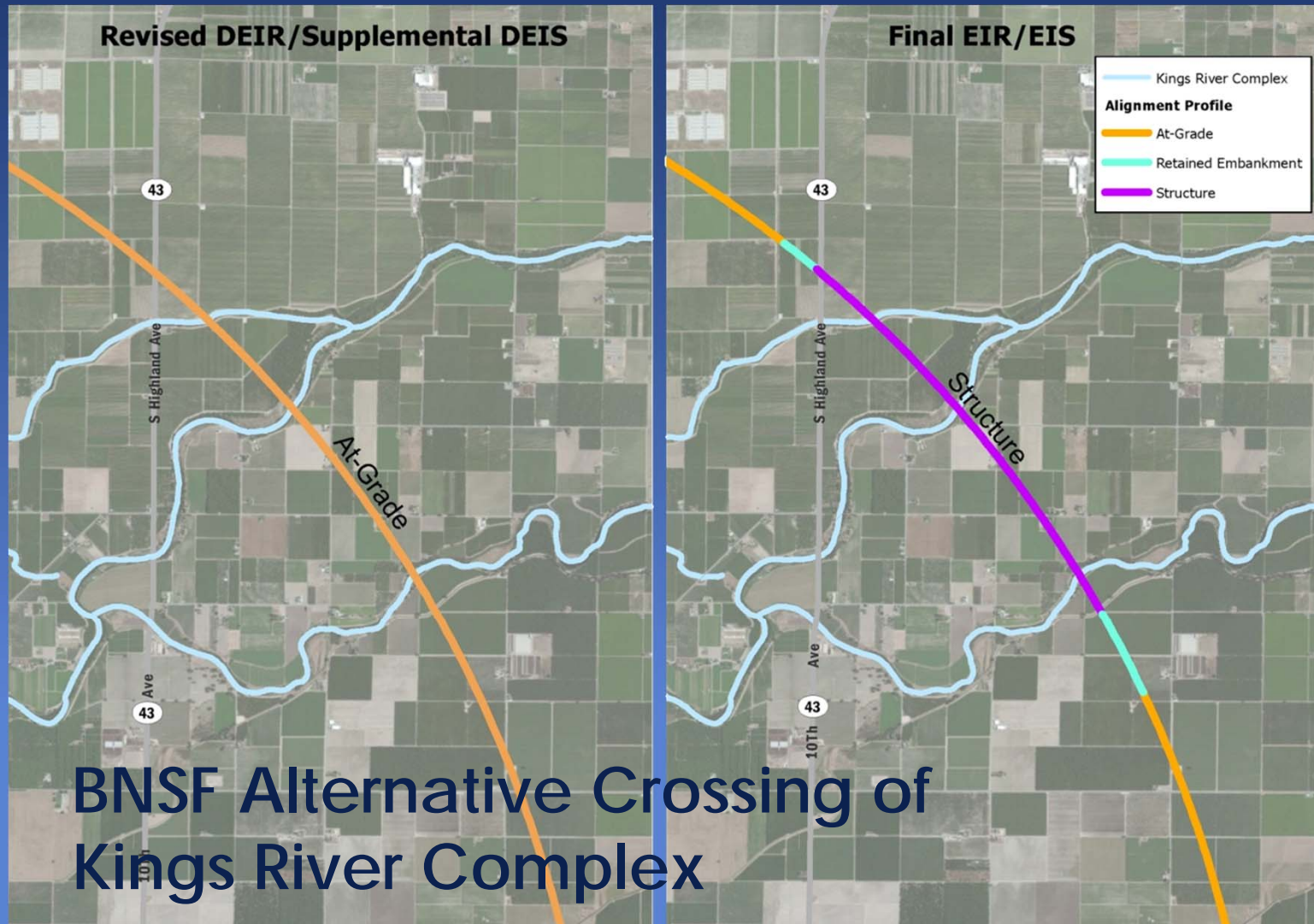
# RESPONSIVENESS TO PREVIOUS COMMENTS

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Comment Addressed: EIR/EIS inadequate because Authority was not responsive to public input

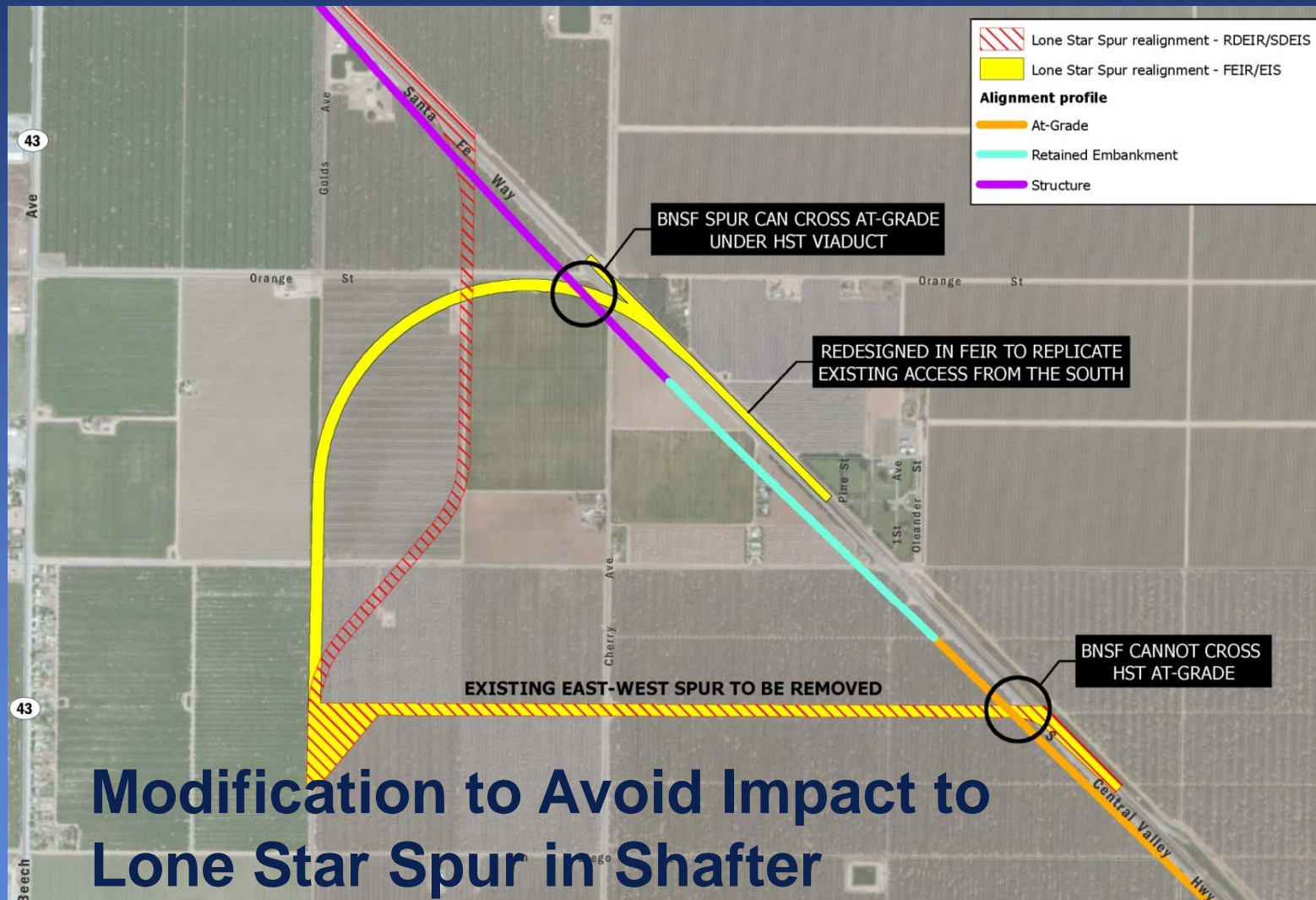
- **Project Design Refinements:**
  - More fully conform to local design requirements and other agency needs
  - Reduce impacts on businesses, cultural resources, and the environment
  - Improve design performance
- **Changes to Analytical Methods**
- **Mitigation Measure Refinements**

# COMMENTS ADDRESSED – AUTHORITY RESPONSIVENESS





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# COMMENTS ADDRESSED – AUTHORITY RESPONSIVENESS

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Comment Addressed: Health risk assessment of stations and HMF construction emissions not done for Revised DEIR/Supplemental DEIS

- Based on public comments, health risk assessment was conducted for Final EIR/EIS
- Showed that impacts from construction emissions associated with stations and HMF would not increase cancer risk or other health risks to nearby sensitive receptors; showed less than significant impact

# COMMENTS ADDRESSED – AUTHORITY RESPONSIVENESS

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- Development of compensatory mitigation in coordination with CDFW, USFWS, USACE, and EPA
- Three mitigation banks and 12 potential Authority-responsible mitigation sites identified in draft Compensatory Mitigation Plan
- Mitigation opportunities are adequate to address adverse impacts on biological resources
- Authority will continue to coordinate with resource agencies through the permitting process to finalize site-specific compensatory mitigation



# MITIGATION MONITORING AND REPORTING PROGRAM

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- The Project minimizes impacts by:
  - Including design features
  - Complying with applicable regulations
- For each mitigation measure, the MMRP identifies:
  - The party responsible for implementation
  - The timing of implementation
  - The implementation mechanism
- Construction would adhere to the MMRP

# AUTHORITY WAS RESPONSIVE

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In Summary, the Authority responded to input through the following:

- Project refinements and improvements
- Issues asserted with the Fresno to Bakersfield EIR/EIS have been addressed
  - No remaining unaddressed issues
  - Recirculation not required
- Added staff in the Central Valley to provide additional resources



# REMAINDER OF BOARD MEETING

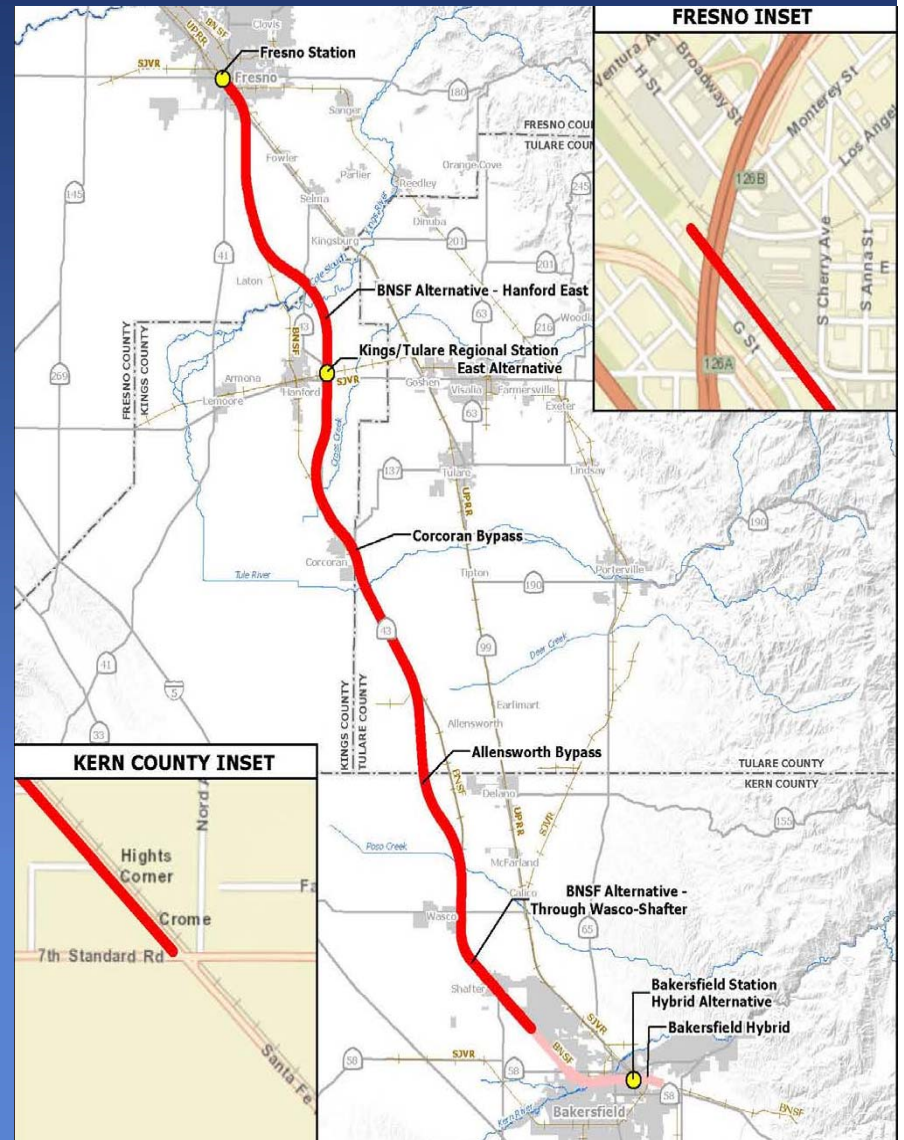
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- Listen to public comments - today
- Direct staff to address public comments as needed
- Requested Board action - tomorrow
  - Board certification that the EIR covering the project from Fresno to the Bakersfield station has been completed in compliance with CEQA
  - Approval of Preferred Alt from Fresno Station to approximately 7<sup>th</sup> Standard Road



# APPROVAL TO 7<sup>TH</sup> STANDARD ROAD

- Bakersfield stakeholders (including the City) have concerns with the Preferred Alternative and station location
- *Current* (as of today) FRA grant and State appropriations do not fund work into downtown Bakersfield
- 7<sup>th</sup> Standard approach provides time for continued engagement with Bakersfield



# NEXT STEPS

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If the EIR is Certified and Project Approved  
To 7<sup>th</sup> Standard Rd.

Approx. Dates	Actions
Summer 2014	FRA Record of Decision - ROD
Summer 2014	Initiate Property Acquisition Offers
Summer 2014	Surface Transportation Board Decision
September 2014	Proposals for CP 2-3 Design & Construction
Fall 2014	Obtain Required Permits
Spring 2015	Construction of Fresno to Bakersfield Section

# CALIFORNIA HIGH-SPEED RAIL AUTHORITY

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